

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FRIENDS OF THE BITTERROOT,

Plaintiff,

vs.

LEANNE MARTEN, Regional
Forester of Region One of the U.S.
Forest Service, UNITED STATES
FOREST SERVICE; an agency of the
U.S. Department of Agriculture,

Defendants.

CV 20–19–M–DLC

ORDER

Before the Court is Plaintiff’s Motion for Attorneys Fees and Other Expenses. (Doc. 41.) On October 9, 2020, this Court granted Federal Defendants’ motion for extension of time to file a response brief as Plaintiff’s fee motion was premature. (Doc. 45.) This case is now on appeal to the Ninth Circuit. (Docs. 48 and 49.) Accordingly, the Court will deny Plaintiff’s motion without prejudice as premature. Plaintiff may refile once there is a final, non-appealable judgment as defined by the Equal Access to Justice Act.

IT IS ORDERED that the Motion (Doc. 41) is DENIED without prejudice.

DATED this 29th day of December, 2020.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

Dana L. Christensen, District Judge
United States District Court